

1                                    A bill to be entitled  
2        An act relating to legal notices; amending s. 50.011,  
3        F.S.; modifying the requirements for newspapers  
4        publishing legal notices; deleting an option for  
5        publication on a newspaper's website; providing for  
6        the publication of legal notices on certain publicly  
7        accessible websites; amending ss. 50.021, 50.0211, and  
8        50.031, F.S.; conforming provisions to changes made by  
9        the act; creating s. 50.0311, F.S.; providing  
10       definitions; allowing a governmental agency to publish  
11       legal notices on a publicly accessible website under  
12       certain circumstances; providing criteria for website  
13       publication; authorizing a fiscally constrained county  
14       to use a publicly accessible website to publish  
15       legally required advertisements and public notices  
16       only if certain requirements are met; requiring a  
17       governmental agency to provide specified notice to  
18       certain residents and property owners relating to  
19       alternative methods of receiving legal notices;  
20       authorizing a governmental agency to publish certain  
21       public notices and advertisements on its governmental  
22       access channels; providing a requirement for public  
23       bid advertisements made by governmental agencies on  
24       publicly accessible websites; amending s. 50.051,  
25       F.S.; revising a form for affidavits of publication;

PCB JDC 22-02

ORIGINAL

2022

amending s. 50.0711, F.S.; revising provisions relating to the use of court docket funds; amending ss. 11.02, 45.031, 90.902, 120.81, 121.055, 125.66, 162.12, 189.015, 190.005, 200.065, 348.0308, 348.635, 348.7605, 849.38, and 932.704; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 50.011, Florida Statutes, is amended to read:

50.011 Publication of legal notices.—Whenever by statute an official or legal advertisement or a publication, or notice in a newspaper or governmental agency website has been or is directed or permitted in the nature of or in lieu of process, or for constructive service, or in initiating, assuming, reviewing, exercising or enforcing jurisdiction or power, or for any purpose, including all legal notices and advertisements of sheriffs and tax collectors, such legislation, whether existing or repealed, means the following ~~the contemporaneous and continuous intent and meaning of such legislation all and singular, existing or repealed, is and has been and is hereby declared to be and to have been, and the rule of interpretation is and has been the following:~~

(1) A publication in a newspaper printed and published periodically at least once a week, containing at least 25 percent of its words in the English language, entered or qualified to be admitted and entered as periodicals matter at a post office in the county where published, available to the public generally for the publication of official or other notices and customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public; or ~~A publication in a newspaper that meets all of the following:~~

~~(a) Is printed and published periodically at least once a week.~~

~~(b) Contains at least 25 percent of its words in the English language.~~

~~(c) Satisfies one of the following criteria:~~

~~1. Has an audience consisting of at least 10 percent of the households in the county or municipality, as determined by the most recent decennial census, where the legal or public notice is being published or posted, by calculating the combination of the total of the number of print copies reflecting the day of highest print circulation, of which at least 25 percent of such print copies must be delivered to individuals' home or business addresses, as certified biennially by a certified independent third-party auditor, and the total~~

76 ~~number of online unique monthly visitors to the newspaper's~~  
77 ~~website from within the state, as measured by industry-accepted~~  
78 ~~website analytics software. The newspaper must also be sold, or~~  
79 ~~otherwise available to the public, at no less than 10 publicly~~  
80 ~~accessible outlets. For legal and public notices published by~~  
81 ~~nongovernmental entities, the newspaper's audience in the county~~  
82 ~~or municipality where the project, property, or other primary~~  
83 ~~subject of the notice is located must meet the 10 percent~~  
84 ~~threshold.~~

85 ~~2. Holds a periodicals permit as of March 1, 2021, and~~  
86 ~~accepts legal notices for publication as of that date. Any such~~  
87 ~~newspaper may continue to publish legal notices through December~~  
88 ~~31, 2023, so long as the newspaper continues to meet the~~  
89 ~~requirements set forth in s. 21, chapter 99-2, Laws of Florida,~~  
90 ~~and continues to hold a periodicals permit. Beginning January 1,~~  
91 ~~2024, and thereafter, any such newspaper must meet the criteria~~  
92 ~~under subparagraph 1.~~

93 ~~3. For newspapers publishing legal notices in a fiscally~~  
94 ~~constrained county, holds a periodicals permit and meets all~~  
95 ~~other requirements of this chapter. A newspaper qualified under~~  
96 ~~this subparagraph does not need to meet the criteria under~~  
97 ~~subparagraph 1. so long as the newspaper continues to hold a~~  
98 ~~periodicals permit. For purposes of this subparagraph, the term~~  
99 ~~"fiscally constrained county" means a county within a rural area~~  
100 ~~of opportunity designated by the Governor pursuant to s.~~

PCB JDC 22-02

ORIGINAL

2022

288.0656 or a county for which the value of a mill will raise no more than \$5 million in revenue, based on the certified taxable value certified pursuant to s. 1011.62(4)(a)1.a., from the previous July 1.

~~(d) Is available to the public generally for the publication of official or other notices with no more than 75 percent of its content dedicated toward advertising, as measured in half of the newspaper's issues that are published during any 12-month period, and customarily containing information of a public character or of interest or of value to the residents or owners of property in the county where published, or of interest or of value to the general public.~~

~~(e) Continually publishes in a prominent manner the name, street address, phone number, website URL of the newspaper's approved print auditor, the newspaper's most recent statement of ownership, and a statement of the auditor certifying the veracity of the newspaper's print distribution and the number of the newspaper's website's monthly unique visitors, or the newspaper's periodicals permit, if applicable, within the first five pages of the print edition and the bottom portion of the homepage of the newspaper's website.~~

(2) On a publicly accessible website under s. 50.0311.~~Internet publication for governmental agency notices under s. 50.0211(1)(b) on the website of any newspaper in the county to which the legal notice pertains and on the statewide~~

PCB JDC 22-02

ORIGINAL

2022

~~legal notice website as provided in s. 50.0211(5). A newspaper is deemed to be a newspaper in the county to which the legal notice pertains if it satisfies the criteria in subsection (1).~~

Section 2. Section 50.021, Florida Statutes, is amended to read:

50.021 Publication when no newspaper in county.—When any law, or order or decree of court, directs advertisements to be made in a county and there is no newspaper published in the county, the advertisement may be posted on a publicly accessible website as provided in s. 50.0311 ~~made by publication in any newspaper qualified under this chapter in an adjoining county or on the website of any such newspaper for governmental agency notices under s. 50.0211(1)(b), and on the statewide legal notice website as provided in s. 50.0211(5) or made by posting~~ three copies thereof in three different places in the county, one of which shall be at the front door of the courthouse, and by publication in the nearest county in which a newspaper qualified under this chapter is published.

Section 3. Section 50.0211, Florida Statutes, is amended to read:

50.0211 Internet website publication.—

~~(1) As used in this section, the term:~~

~~(a) "Governmental agency" means a county, a municipality, a district school board, or any other unit of local government or political subdivision in this state.~~

PCB JDC 22-02

ORIGINAL

2022

~~(b) "Governmental agency notice" includes any of the following notices required by law to be published in a newspaper:~~

~~1. Notices related to special or legal legislation pursuant to s. 11.02.~~

~~2. Educational unit notices pursuant to s. 120.81.~~

~~3. Retirement system notices pursuant to s. 121.0511.~~

~~4. Notices related to inclusion of positions in the Senior Management Service Class of the Florida Retirement System pursuant to s. 121.055.~~

~~5. Notices proposing the enactment of county ordinances pursuant to s. 125.66.~~

~~6. Code enforcement notices published pursuant to s. 162.12.~~

~~7. Notices proposing the enactment of municipal ordinances pursuant to s. 166.041.~~

~~8. Special district meeting notices pursuant to s. 189.015.~~

~~9. Establishment and termination notices for community development districts pursuant to ss. 190.005 and 190.046, respectively.~~

~~10. Disclosures of tax impact by value adjustment boards pursuant to s. 194.037.~~

~~11. Advertisements of real or personal property with delinquent taxes pursuant to s. 197.402.~~

176 ~~12. Advertisements of hearing notices, millage rates, and~~  
177 ~~budgets pursuant to s. 200.065.~~

178 ~~13. Turnpike project notices pursuant to s. 338.223.~~

179 ~~14. Public-private partnership notices pursuant to ss.~~  
180 ~~348.0308 and 348.7605.~~

181 ~~15. Notices of prime recharge area designations for the~~  
182 ~~Floridan and Biscayne aquifers pursuant to s. 373.0397.~~

183 ~~16. Water management district notices pursuant to s.~~  
184 ~~373.146.~~

185 ~~17. Hazardous waste disposal notices pursuant to s.~~  
186 ~~403.722.~~

187 ~~18. Forfeiture notices pursuant to ss. 849.38 and 932.704.~~

188 (1)-(2) This section applies to legal notices that must be  
189 published in accordance with this chapter unless otherwise  
190 specified.

191 (2)-(3) If a governmental agency publishes a legal notice  
192 in the print edition of a newspaper, each legal notice must be  
193 posted on the newspaper's website on the same day that the  
194 printed notice appears in the newspaper, at no additional  
195 charge, in a separate web page titled "Legal Notices," "Legal  
196 Advertising," or comparable identifying language. A link to the  
197 legal notices web page shall be provided on the front page of  
198 the newspaper's website that provides access to the legal  
199 notices. If there is a specified size and placement required for  
200 a printed legal notice, the size and placement of the notice on



PCB JDC 22-02

ORIGINAL

2022

the newspaper's website must optimize its online visibility in keeping with the print requirements. The newspaper's web pages that contain legal notices must present the legal notices as the dominant and leading subject matter of those pages. The newspaper's website must contain a search function to facilitate searching the legal notices. A fee may not be charged, and registration may not be required, for viewing or searching legal notices on a newspaper's website if the legal notice is published in a newspaper.

(3)~~(4)~~(a) If a legal notice is published in the print edition of a newspaper ~~or on a newspaper's website~~, the newspaper publishing the notice shall place the notice on the statewide website established and maintained as an initiative of the Florida Press Association as a repository for such notices located at the following address: [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

(b) A legal notice placed on the statewide website created under this subsection must be:

1. Accessible and searchable by party name and case number.

2. Posted for a period of at least 90 consecutive days after the first day of posting.

(c) The statewide website created under this subsection shall maintain a searchable archive of all legal notices posted on the publicly accessible website for 18 months after the first day of posting. Such searchable archive shall be provided and

PCB JDC 22-02

ORIGINAL

2022

226 accessible to the general public without charge.

227 ~~(d) The Florida Press Association shall seek to ensure~~  
228 ~~that minority populations throughout the state have equitable~~  
229 ~~access to legal notices posted on the statewide legal notice~~  
230 ~~website located at: [www.floridapublicnotices.com](http://www.floridapublicnotices.com). The Florida~~  
231 ~~Press Association shall publish a report listing all newspapers~~  
232 ~~that have placed notices on [www.floridapublicnotices.com](http://www.floridapublicnotices.com) in the~~  
233 ~~preceding calendar quarter. The report must specifically~~  
234 ~~identify which criteria under s. 50.011(1)(c)1.-3. each~~  
235 ~~newspaper satisfied. Each quarterly report must also include the~~  
236 ~~number of unique visitors to the statewide legal notice website~~  
237 ~~during that quarter and the number of legal notices that were~~  
238 ~~published during that quarter by Internet-only publication or by~~  
239 ~~publication in a print newspaper and on the statewide website.~~  
240 ~~At a minimum, the reports for the 4 preceding calendar quarters~~  
241 ~~shall be available on the website.~~

242 ~~(5)(a) In lieu of publishing a legal notice in the print~~  
243 ~~edition of a newspaper of general circulation, a governmental~~  
244 ~~agency may opt for Internet-only publication of governmental~~  
245 ~~agency notices with any newspaper of general circulation within~~  
246 ~~the jurisdiction of the affected governmental agency so long as~~  
247 ~~the governmental agency, after a public hearing noticed in a~~  
248 ~~print edition of a newspaper in accordance with this chapter,~~  
249 ~~makes a determination by a majority of the members of the~~  
250 ~~governing body of the governmental agency that the Internet~~

PCB JDC 22-02

ORIGINAL

2022

publication of such governmental agency notices is in the public interest and that the residents within the jurisdiction of the governmental agency have sufficient access to the Internet by broadband service as defined in s. 364.02 or through other means such that Internet-only publication of governmental agency notices would not unreasonably restrict public access. Any such Internet-only publication published in accordance with this subsection must be placed in the legal notices section of the newspaper's website and the statewide legal notice website established under subsection (4). All requirements regarding the format and accessibility of legal notices placed on the newspaper's website and the statewide legal notice website in subsections (3) and (4) also apply to Internet-only publication of legal notices published in accordance with this subsection. A newspaper is deemed to be a newspaper of general circulation within the jurisdiction of the affected governmental agency if it satisfies the criteria in s. 50.011(1).

~~(b) The legal notices section of the print edition of a newspaper must include a disclaimer stating that additional legal notices may be accessed on the newspaper's website and the statewide legal notice website. The legal notices section of the newspaper's website must also include a disclaimer stating that legal notices are also published in the print edition of the newspaper and on the statewide legal notice website.~~

~~(c) A newspaper may charge for the publication of any~~

PCB JDC 22-02

ORIGINAL

2022

276 ~~governmental agency notice that is published only on the~~  
277 ~~newspaper's website, without rebate, commission, or refund;~~  
278 ~~however, the newspaper may not charge any higher rate for~~  
279 ~~publication than the amount that would be authorized under s.~~  
280 ~~50.061 if the governmental agency notice had been printed in the~~  
281 ~~newspaper. The penalties prescribed in s. 50.061(7) for allowing~~  
282 ~~or accepting any rebate, commission, or refund in connection to~~  
283 ~~the amounts charged for publication also apply to any~~  
284 ~~governmental agency notices that are published only on the~~  
285 ~~Internet in accordance with this subsection.~~

286 ~~(d) If a governmental agency exercises the option to~~  
287 ~~publish Internet-only governmental agency notices in accordance~~  
288 ~~with this subsection, such agency must provide notice at least~~  
289 ~~once per week in the print edition of a newspaper of general~~  
290 ~~circulation within the region in which the governmental agency~~  
291 ~~is located which states that legal notices pertaining to the~~  
292 ~~agency do not all appear in the print edition of the local~~  
293 ~~newspaper and that additional legal notices may be accessed on~~  
294 ~~the newspaper's website and that a full listing of any legal~~  
295 ~~notices may be accessed on the statewide legal notice website~~  
296 ~~located at [www.floridapublicnotices.com](http://www.floridapublicnotices.com). Additionally, any such~~  
297 ~~governmental agency must post a link on its website homepage to~~  
298 ~~a webpage that lists all of the newspapers in which the~~  
299 ~~governmental agency publishes legal notices. A newspaper is~~  
300 ~~deemed to be a newspaper of general circulation within the~~

PCB JDC 22-02

ORIGINAL

2022

301 ~~region in which the governmental agency is located if it~~  
302 ~~satisfies the criteria in s. 50.011(1).~~

303 ~~(6) Newspapers that publish legal notices shall, upon~~  
304 ~~request, provide e-mail notification of new legal notices when~~  
305 ~~they are published in the newspaper or on the newspaper's~~  
306 ~~website. Such e-mail notification shall be provided without~~  
307 ~~charge, and notification for such an e-mail registry shall be~~  
308 ~~available on the front page of the legal notices section of the~~  
309 ~~newspaper's website.~~

310 ~~(7) Notwithstanding the authorization of Internet-only~~  
311 ~~publication for certain governmental agency notices in~~  
312 ~~accordance with subsection (5), any other statute requiring the~~  
313 ~~publication of an official legal notice in the print edition of~~  
314 ~~a newspaper may not be construed to be superseded.~~

315 Section 4. Section 50.031, Florida Statutes, is amended to  
316 read:

317 50.031 Newspapers in which legal notices and process may  
318 be published.— If a governmental agency publishes a legal notice  
319 in a newspaper, no notice or publication required to be  
320 published ~~in the print edition of a newspaper or on a~~  
321 ~~newspaper's website, if authorized,~~ in the nature of or in lieu  
322 of process of any kind, nature, character or description  
323 provided for under any law of the state, whether heretofore or  
324 hereafter enacted, and whether pertaining to constructive  
325 service, or the initiating, assuming, reviewing, exercising or

PCB JDC 22-02

ORIGINAL

2022

326 enforcing jurisdiction or power, by any court in this state, or  
327 any notice of sale of property, real or personal, for taxes,  
328 state, county or municipal, or sheriff's, guardian's or  
329 administrator's or any sale made pursuant to any judicial order,  
330 decree or statute or any other publication or notice pertaining  
331 to any affairs of the state, or any county, municipality or  
332 other political subdivision thereof, shall be deemed to have  
333 been published in accordance with the statutes providing for  
334 such publication, unless the same shall have been published for  
335 the prescribed period of time required for such publication, in  
336 a newspaper ~~or on a newspaper's website~~ which at the time of  
337 such publication shall have been in existence for 2 years and  
338 meets the requirements set forth in s. 50.011, or in a newspaper  
339 which is a direct successor of a newspaper which has been so  
340 published; provided, however, that nothing herein contained  
341 shall apply where in any county there shall be no newspaper in  
342 existence which shall have been published for the length of time  
343 above prescribed. No legal publication of any kind, nature or  
344 description, as herein defined, shall be valid or binding or  
345 held to be in compliance with the statutes providing for such  
346 publication unless the same shall have been published in  
347 accordance with the provisions of this section or s. 50.0311  
348 ~~50.0211(5)~~. Proof of such publication shall be made by uniform  
349 affidavit.

350 Section 5. Section 50.0311, Florida Statutes, is created

PCB JDC 22-02

ORIGINAL

2022

to read:

50.0311 Publication of advertisements and public notices on a publicly accessible website and governmental access channels.—

(1) For purposes of this chapter, "governmental agency" means a county, municipality, school board, or other unit of local government or political subdivision in this state.

(2) For purposes of notices and advertisements required under s. 50.011, the term "publicly accessible website" means a governmental agency's official website or other private website designated by the governmental agency for the posting of legal notices and advertisements that is accessible via the Internet. All advertisements and public notices published on a website as provided in this chapter must be in searchable form.

(3) "Fiscally constrained county" means a county within a rural area of opportunity as designated by the Governor pursuant to s. 288.0656 or a county for which the value of a mill will raise no more than \$5 million in revenue, based on the certified school taxable value certified pursuant to s. 1011.62(4)(a)1.a., from the previous July 1.

(4) A governmental agency in a county that is not a fiscally constrained county may use a publicly accessible website to publish legally required advertisements and public notices if the cost of publishing advertisements and public notices on a website is less than the cost of publishing

376 advertisements and public notices in a newspaper.

377 (5) A governmental agency in a fiscally constrained county  
378 may use a publicly accessible website to publish legally  
379 required advertisements and public notices only if the  
380 governmental agency, after a public hearing which has been  
381 noticed in a newspaper as provided in this chapter, makes a  
382 determination of the following:

383 (a) Publishing advertisements and public notices on a  
384 publicly accessible website is in the public interest.

385 (b) The cost of publishing advertisements and public  
386 notices on a publicly accessible website is less than the cost  
387 of publishing advertisements and public notices in a newspaper.

388 (c) The residents of the county have sufficient access to  
389 the Internet by broadband service as defined in s. 364.02(2) or  
390 any other means such that publishing advertisements and public  
391 notices on a publicly accessible website will not unreasonably  
392 restrict public access.

393 (6) A governmental agency that uses a publicly accessible  
394 website to publish legally required advertisements and public  
395 notices shall provide notice at least once per year in a  
396 newspaper of general circulation or another publication that is  
397 mailed or delivered to all residents and property owners  
398 throughout the government's jurisdiction, indicating that  
399 property owners and residents may receive legally required  
400 advertisements and public notices from the governmental agency



PCB JDC 22-02

ORIGINAL

2022

401 by first-class mail or e-mail upon registering their name and  
402 address or e-mail address with the governmental agency. The  
403 governmental agency shall maintain a registry of names,  
404 addresses, and e-mail addresses of property owners and residents  
405 who request in writing that they receive legally required  
406 advertisements and public notices from the governmental agency  
407 by first-class mail or e-mail.

408 (7) A link to advertisements and public notices published  
409 on a publicly accessible website shall be conspicuously placed  
410 on the website's homepage or accessible through a direct link  
411 from the homepage. Each advertisement or public notice shall  
412 indicate the date on which the advertisement or public notice  
413 was first published on the publicly accessible website.

414 (8) A governmental agency that has a governmental access  
415 channel authorized under s. 610.109 may also include on its  
416 governmental access channel a summary of all advertisements and  
417 public notices that are posted on its publicly accessible  
418 website.

419 (9) A public bid advertisement made by a governmental  
420 agency on a publicly accessible website must include a method to  
421 accept electronic bids.

422 Section 6. Section 50.051, Florida Statutes, is amended to  
423 read:

424 50.051 Proof of publication; form of uniform affidavit.—  
425 The printed form upon which all such affidavits establishing

PCB JDC 22-02

ORIGINAL

2022

proof of publication are to be executed shall be substantially  
as follows:

NAME OF COUNTY

STATE OF FLORIDA

COUNTY OF .....

Before the undersigned authority personally appeared .....,  
who on oath says that he or she is .... of ~~the ....., a ....~~  
~~newspaper published at .... in ....~~ County, Florida; that the  
attached copy of advertisement, being a .... in the matter of  
.... in the .... Court, was published on the publicly accessible  
website of the governmental agency or in a said newspaper by  
print in the issues of .... ~~or by publication on the newspaper's~~  
~~website, if authorized,~~ on ... (date)....

Affiant further says that the website or newspaper complies  
with all legal requirements for publication in chapter 50,  
Florida Statutes.

Sworn to and subscribed before me this .... day of .....,  
...(year)...., by ....., who is personally known to me or who has  
produced (type of identification) as identification.

...(Signature of Notary Public)...

...(Print, Type, or Stamp Commissioned Name of Notary Public)...

PCB JDC 22-02

ORIGINAL

2022

447 ... (Notary Public) ...

448 Section 7. Section 50.0711, Florida Statutes, is amended  
449 to read:

450 50.0711 Court docket fund; service charges; publications.—

451 (1) The clerk of the court in each county may establish a  
452 court docket fund for the purpose of paying the cost of  
453 publication of the fact of the filing of any civil case in the  
454 circuit court of the county by the style and of the calendar  
455 relating to such cases. This court docket fund shall be funded  
456 by \$1 mandatory court cost for all civil actions, suits, or  
457 proceedings filed in the circuit court of the county. The clerk  
458 shall maintain such funds separate and apart, and the proceeds  
459 from this court cost shall not be diverted to any other fund or  
460 for any purpose other than that established in this section. The  
461 clerk of the court shall dispense the fund to the designated  
462 publicly accessible website publisher or record newspaper in the  
463 county on a quarterly basis.

464 (2) If a judicial circuit publishes legal notices in a  
465 newspaper, a newspaper qualified under the terms of s. 50.011  
466 shall be designated as the record newspaper for such publication  
467 by an order of the majority of the judges in the judicial  
468 circuit in which such county is located, and such order shall be  
469 filed and recorded with the clerk of the circuit court for such  
470 county. The designated record newspaper may be changed at the  
471 end of any fiscal year of the county by a majority vote of the

PCB JDC 22-02

ORIGINAL

2022

judges of the judicial circuit of the county ordering such change 30 days prior to the end of the fiscal year, notice of which order shall be given to the previously designated record newspaper.

(3) The publicly accessible website publisher or publishers of any designated record newspapers receiving payment from this court docket fund shall publish, without additional charge, the fact of the filing of any civil case, suit, or action filed in such county in the circuit. Such publication shall be in accordance with a schedule agreed upon between the website publisher or record newspaper and the clerk of the court in such county.

(4) The publicly accessible website publisher or publishers of any designated record newspapers receiving revenues from the court docket fund established in subsection (1) shall, without charge, accept legal advertisements for the purpose of service of process by publication under s. 49.011(4), (10), and (11) when such publication is required of persons authorized to proceed as indigent persons under s. 57.081.

Section 8. Section 11.02, Florida Statutes, is amended to read:

11.02 Notice of special or local legislation or certain relief acts.—The notice required to obtain special or local legislation or any relief act specified in s. 11.065 shall be by publishing the identical notice as provided in chapter 50 or

PCB JDC 22-02

ORIGINAL

2022

497 circulated throughout the county or counties where the matter or  
498 thing to be affected by such legislation shall be situated one  
499 time at least 30 days before introduction of the proposed law  
500 into the Legislature or, if the notice is not posted on a  
501 publicly accessible website as provided in s. 50.0311 ~~made by~~  
502 ~~Internet publication as provided in s. 50.0211(5)~~ and there is  
503 ~~being~~ no newspaper circulated throughout or published in the  
504 county, by posting for at least 30 days at not less than three  
505 public places in the county or each of the counties, one of  
506 which places shall be at the courthouse in the county or  
507 counties where the matter or thing to be affected by such  
508 legislation shall be situated. Notice of special or local  
509 legislation shall state the substance of the contemplated law,  
510 as required by s. 10, Art. III of the State Constitution. Notice  
511 of any relief act specified in s. 11.065 shall state the name of  
512 the claimant, the nature of the injury or loss for which the  
513 claim is made, and the amount of the claim against the affected  
514 municipality's revenue-sharing trust fund.

515 Section 9. Subsection (2) of section 45.031, Florida  
516 Statutes, is amended to read:

517 45.031 Judicial sales procedure.—In any sale of real or  
518 personal property under an order or judgment, the procedures  
519 provided in this section and ss. 45.0315-45.035 may be followed  
520 as an alternative to any other sale procedure if so ordered by  
521 the court.

PCB JDC 22-02

ORIGINAL

2022

(2) PUBLICATION OF SALE.—Notice of sale shall be published on a publicly accessible website as provided in s. 50.0311 for at least 2 consecutive weeks before the sale or once a week for 2 consecutive weeks in a newspaper of general circulation, as provided ~~defined~~ in chapter 50, published in the county where the sale is to be held. The second publication by newspaper shall be at least 5 days before the sale. The notice shall contain:

(a) A description of the property to be sold.

(b) The time and place of sale.

(c) A statement that the sale will be made pursuant to the order or final judgment.

(d) The caption of the action.

(e) The name of the clerk making the sale.

(f) A statement that any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the lis pendens must file a claim before the clerk reports the surplus as unclaimed.

The court, in its discretion, may enlarge the time of the sale. Notice of the changed time of sale shall be published as provided herein.

Section 10. Subsection (12) of section 90.902, Florida Statutes, is amended to read:

90.902 Self-authentication.—Extrinsic evidence of

PCB JDC 22-02

ORIGINAL

2022

547 authenticity as a condition precedent to admissibility is not  
548 required for:

549 (12) A legal notice published in accordance with the  
550 requirements of chapter 50 in the print edition of a qualified  
551 newspaper or on a publicly accessible website as provided in s.  
552 50.0311 ~~the website of a qualified newspaper.~~

553 Section 11. Paragraph (d) of subsection (1) of section  
554 120.81, Florida Statutes, is amended to read:

555 120.81 Exceptions and special requirements; general  
556 areas.—

557 (1) EDUCATIONAL UNITS.—

558 (d) Notwithstanding any other provision of this chapter,  
559 educational units shall not be required to include the full text  
560 of the rule or rule amendment in notices relating to rules and  
561 need not publish these or other notices in the Florida  
562 Administrative Register, but notice shall be made:

563 1. By publication in a newspaper qualified under chapter  
564 50 in the affected area or on a publicly accessible website as  
565 provided in s. 50.0311;

566 2. By mail to all persons who have made requests of the  
567 educational unit for advance notice of its proceedings and to  
568 organizations representing persons affected by the proposed  
569 rule; and

570 3. By posting in appropriate places so that those  
571 particular classes of persons to whom the intended action is

PCB JDC 22-02

ORIGINAL

2022

572 directed may be duly notified.

573 Section 12. Paragraph (b) of subsection (1) of section  
574 121.055, Florida Statutes, is amended to read:

575 121.055 Senior Management Service Class.—There is hereby  
576 established a separate class of membership within the Florida  
577 Retirement System to be known as the "Senior Management Service  
578 Class," which shall become effective February 1, 1987.

579 (1)

580 (b)1. Except as provided in subparagraph 2., effective  
581 January 1, 1990, participation in the Senior Management Service  
582 Class is compulsory for the president of each community college,  
583 the manager of each participating municipality or county, and  
584 all appointed district school superintendents. Effective January  
585 1, 1994, additional positions may be designated for inclusion in  
586 the Senior Management Service Class if:

587 a. Positions to be included in the class are designated by  
588 the local agency employer. Notice of intent to designate  
589 positions for inclusion in the class must be published for at  
590 least 2 consecutive weeks if published on a publicly accessible  
591 website as provided in s. 50.0311 ~~by Internet publication as~~  
592 ~~provided in s. 50.0211(5)~~ or, if published in print, once a week  
593 for 2 consecutive weeks in a newspaper qualified under chapter  
594 50 that is published in the county or counties affected.

595 b. Up to 10 nonelective full-time positions may be  
596 designated for each local agency employer reporting to the



PCB JDC 22-02

ORIGINAL

2022

department; for local agencies with 100 or more regularly established positions, additional nonelective full-time positions may be designated, not to exceed 1 percent of the regularly established positions within the agency.

c. Each position added to the class must be a managerial or policymaking position filled by an employee who is not subject to continuing contract and serves at the pleasure of the local agency employer without civil service protection, and who:

(I) Heads an organizational unit; or

(II) Has responsibility to effect or recommend personnel, budget, expenditure, or policy decisions in his or her areas of responsibility.

2. In lieu of participation in the Senior Management Service Class, members of the Senior Management Service Class, pursuant to subparagraph 1., may withdraw from the Florida Retirement System altogether. The decision to withdraw from the system is irrevocable as long as the employee holds the position. Any service creditable under the Senior Management Service Class shall be retained after the member withdraws from the system; however, additional service credit in the Senior Management Service Class may not be earned after such withdrawal. Such members are not eligible to participate in the Senior Management Service Optional Annuity Program.

3. Effective January 1, 2006, through June 30, 2006, an employee who has withdrawn from the Florida Retirement System

PCB JDC 22-02

ORIGINAL

2022

under subparagraph 2. has one opportunity to elect to participate in the pension plan or the investment plan.

a. If the employee elects to participate in the investment plan, membership shall be prospective, and the applicable provisions of s. 121.4501(4) govern the election.

b. If the employee elects to participate in the pension plan, the employee shall, upon payment to the system trust fund of the amount calculated under sub-sub-subparagraph (I), receive service credit for prior service based upon the time during which the employee had withdrawn from the system.

(I) The cost for such credit shall be an amount representing the actuarial accrued liability for the affected period of service. The cost shall be calculated using the discount rate and other relevant actuarial assumptions that were used to value the pension plan liabilities in the most recent actuarial valuation. The calculation must include any service already maintained under the pension plan in addition to the period of withdrawal. The actuarial accrued liability attributable to any service already maintained under the pension plan shall be applied as a credit to the total cost resulting from the calculation. The division must ensure that the transfer sum is prepared using a formula and methodology certified by an actuary.

(II) The employee must transfer a sum representing the net cost owed for the actuarial accrued liability in sub-sub-

PCB JDC 22-02

ORIGINAL

2022

subparagraph (I) immediately following the time of such movement, determined assuming that attained service equals the sum of service in the pension plan and the period of withdrawal.

(h)1. Except as provided in subparagraph 3., effective January 1, 1994, participation in the Senior Management Service Class shall be compulsory for the State Courts Administrator and the Deputy State Courts Administrators, the Clerk of the Supreme Court, the Marshal of the Supreme Court, the Executive Director of the Justice Administrative Commission, the capital collateral regional counsel, the clerks of the district courts of appeals, the marshals of the district courts of appeals, and the trial court administrator and the Chief Deputy Court Administrator in each judicial circuit. Effective January 1, 1994, additional positions in the offices of the state attorney and public defender in each judicial circuit may be designated for inclusion in the Senior Management Service Class of the Florida Retirement System, provided that:

a. Positions to be included in the class shall be designated by the state attorney or public defender, as appropriate. Notice of intent to designate positions for inclusion in the class shall be published for at least 2 consecutive weeks by publicly accessible website as provided in s. 50.0311 ~~Internet publication as provided in s. 50.0211(5)~~ or, if published in print, once a week for 2 consecutive weeks in a newspaper qualified under chapter 50 in the county or counties

PCB JDC 22-02

ORIGINAL

2022

672 affected.

673       b. One nonelective full-time position may be designated  
674 for each state attorney and public defender reporting to the  
675 Department of Management Services; for agencies with 200 or more  
676 regularly established positions under the state attorney or  
677 public defender, additional nonelective full-time positions may  
678 be designated, not to exceed 0.5 percent of the regularly  
679 established positions within the agency.

680       c. Each position added to the class must be a managerial  
681 or policymaking position filled by an employee who serves at the  
682 pleasure of the state attorney or public defender without civil  
683 service protection, and who:

684           (I) Heads an organizational unit; or

685           (II) Has responsibility to effect or recommend personnel,  
686 budget, expenditure, or policy decisions in his or her areas of  
687 responsibility.

688       2. Participation in this class shall be compulsory, except  
689 as provided in subparagraph 3., for any judicial employee who  
690 holds a position designated for coverage in the Senior  
691 Management Service Class, and such participation shall continue  
692 until the employee terminates employment in a covered position.  
693 Effective January 1, 2001, participation in this class is  
694 compulsory for assistant state attorneys, assistant statewide  
695 prosecutors, assistant public defenders, and assistant capital  
696 collateral regional counsel. Effective January 1, 2002,

PCB JDC 22-02

ORIGINAL

2022

697 participation in this class is compulsory for assistant  
698 attorneys general.

699 3. In lieu of participation in the Senior Management  
700 Service Class, such members, excluding assistant state  
701 attorneys, assistant public defenders, assistant statewide  
702 prosecutors, assistant attorneys general, and assistant capital  
703 collateral regional counsel, may participate in the Senior  
704 Management Service Optional Annuity Program as established in  
705 subsection (6).

706 Section 13. Subsections (2) and (3) of section 162.12,  
707 Florida Statutes, are amended to read:

708 162.12 Notices.—

709 (2) In addition to providing notice as set forth in  
710 subsection (1), at the option of the code enforcement board or  
711 the local government, notice may be served by publication or  
712 posting, as follows:

713 (a)1. Such notice shall be published in print in a  
714 newspaper or on a publicly accessible website as provided in s.  
715 50.0311 ~~newspaper's website and the statewide legal notice~~  
716 ~~website as provided in s. 50.0211(5)~~ for 4 consecutive weeks. If  
717 published in print, the notice shall be published once during  
718 each week for 4 consecutive weeks (four publications being  
719 sufficient) in a newspaper in the county where the code  
720 enforcement board is located. The newspaper shall meet such  
721 requirements as are prescribed under chapter 50 for legal and

PCB JDC 22-02

ORIGINAL

2022

official advertisements.

2. Proof of publication shall be made as provided in ss. 50.041 and 50.051.

Section 14. Subsection (1) of section 189.015, Florida Statutes, is amended to read:

189.015 Meetings; notice; required reports.—

(1) The governing body of each special district shall file quarterly, semiannually, or annually a schedule of its regular meetings with the local governing authority or authorities. The schedule shall include the date, time, and location of each scheduled meeting. The schedule shall be published quarterly, semiannually, or annually in the manner required in this subsection. The governing body of an independent special district shall advertise the day, time, place, and purpose of any meeting other than a regular meeting or any recessed and reconvened meeting of the governing body, at least 7 days before such meeting as provided in chapter 50 in the county or counties in which the special district is located, unless a bona fide emergency situation exists, in which case a meeting to deal with the emergency may be held as necessary, with reasonable notice, so long as it is subsequently ratified by the governing body. No approval of the annual budget shall be granted at an emergency meeting. The notice shall be posted as provided in chapter 50. Any other provision of law to the contrary notwithstanding, and except in the case of emergency meetings, water management

PCB JDC 22-02

ORIGINAL

2022

747 districts may provide reasonable notice of public meetings held  
748 to evaluate responses to solicitations issued by the water  
749 management district, as provided in chapter 50 by publication on  
750 a publicly accessible website ~~Internet publication~~ or by  
751 publication in a newspaper in the county where the principal  
752 office of the water management district is located, or in the  
753 county or counties where the public work will be performed, no  
754 less than 7 days before such meeting.

755 Section 15. Paragraph (d) of subsection (1) of section  
756 190.005, Florida Statutes, is amended to read:

757 190.005 Establishment of district.—

758 (1) The exclusive and uniform method for the establishment  
759 of a community development district with a size of 2,500 acres  
760 or more shall be pursuant to a rule, adopted under chapter 120  
761 by the Florida Land and Water Adjudicatory Commission, granting  
762 a petition for the establishment of a community development  
763 district.

764 (d) A local public hearing on the petition shall be  
765 conducted by a hearing officer in conformance with the  
766 applicable requirements and procedures of the Administrative  
767 Procedure Act. The hearing shall include oral and written  
768 comments on the petition pertinent to the factors specified in  
769 paragraph (e). The hearing shall be held at an accessible  
770 location in the county in which the community development  
771 district is to be located. The petitioner shall cause a notice

PCB JDC 22-02

ORIGINAL

2022

772 of the hearing to be published for 4 successive weeks on a  
773 publicly accessible website as provided in s. 50.0311  
774 ~~newspaper's website and the statewide legal notice website~~  
775 ~~provided in s. 50.0211(5)~~ or, if published in print, in a  
776 newspaper at least once a week for the 4 successive weeks  
777 immediately prior to the hearing as provided in chapter 50. Such  
778 notice shall give the time and place for the hearing, a  
779 description of the area to be included in the district, which  
780 description shall include a map showing clearly the area to be  
781 covered by the district, and any other relevant information  
782 which the establishing governing bodies may require. If  
783 published in the print edition of a newspaper, the advertisement  
784 may not be placed in the portion of the newspaper where legal  
785 notices and classified advertisements appear. The advertisement  
786 must be published in a newspaper in the county and of general  
787 interest and readership in the community pursuant to chapter 50.  
788 Whenever possible, the advertisement shall appear in a newspaper  
789 that is published at least weekly, unless the only newspaper in  
790 the community is published less than weekly. If the notice is  
791 published in the print edition of the newspaper, the map must  
792 also be included in any online advertisement pursuant to s.  
793 50.0211. All affected units of general-purpose local government  
794 and the general public shall be given an opportunity to appear  
795 at the hearing and present oral or written comments on the  
796 petition.



PCB JDC 22-02

ORIGINAL

2022

797           Section 16. Paragraph (h) of subsection (3) of section  
798   200.065, Florida Statutes, is amended to read:

799           200.065   Method of fixing millage.—

800           (3)   The advertisement shall be published as provided in  
801   chapter 50. If the advertisement is published in the print  
802   edition of a newspaper, the advertisement must be no less than  
803   one-quarter page in size of a standard size or a tabloid size  
804   newspaper, and the headline in the advertisement shall be in a  
805   type no smaller than 18 point. The advertisement shall not be  
806   placed in that portion of the newspaper where legal notices and  
807   classified advertisements appear. The advertisement shall be  
808   published in a newspaper in the county or in a geographically  
809   limited insert of such newspaper. The geographic boundaries in  
810   which such insert is circulated shall include the geographic  
811   boundaries of the taxing authority. It is the legislative intent  
812   that, whenever possible, the advertisement appear in a newspaper  
813   that is published at least weekly unless the only newspaper in  
814   the county is published less than weekly, or that the  
815   advertisement appear in a geographically limited insert of such  
816   newspaper which insert is published throughout the taxing  
817   authority's jurisdiction at least twice each week. It is further  
818   the legislative intent that the newspaper selected be one of  
819   general interest and readership in the community pursuant to  
820   chapter 50.

821           (h)   In no event shall any taxing authority add to or

PCB JDC 22-02

ORIGINAL

2022

delete from the language of the advertisements as specified herein unless expressly authorized by law, except that, if an increase in ad valorem tax rates will affect only a portion of the jurisdiction of a taxing authority, advertisements may include a map or geographical description of the area to be affected and the proposed use of the tax revenues under consideration. In addition, if published in the print edition of the newspaper ~~or only published on the Internet in accordance with s. 50.0211(5)~~, the map must be included in the online advertisement required by s. 50.0211. The advertisements required herein shall not be accompanied, preceded, or followed by other advertising or notices which conflict with or modify the substantive content prescribed herein.

Section 17. Subsection (3) of section 348.0308, Florida Statutes, is amended to read:

348.0308 Public-private partnership.—The Legislature declares that there is a public need for the rapid construction of safe and efficient transportation facilities for traveling within the state and that it is in the public's interest to provide for public-private partnership agreements to effectuate the construction of additional safe, convenient, and economical transportation facilities.

(3) The agency may request proposals for public-private transportation projects or, if it receives an unsolicited proposal, it must publish a notice in the Florida Administrative

PCB JDC 22-02

ORIGINAL

2022

847 Register and, as provided in chapter 50, on a publicly  
848 accessible website ~~by Internet publication~~ or by print in a  
849 newspaper qualified to publish legal notices in the county in  
850 which the project is located at least once a week for 2 weeks  
851 stating that it has received the proposal and will accept, for  
852 60 days after the initial date of publication, other proposals  
853 for the same project purpose. A copy of the notice must be  
854 mailed to each local government in the affected areas. After the  
855 public notification period has expired, the agency shall rank  
856 the proposals in order of preference. In ranking the proposals,  
857 the agency shall consider professional qualifications, general  
858 business terms, innovative engineering or cost-reduction terms,  
859 finance plans, and the need for state funds to deliver the  
860 proposal. If the agency is not satisfied with the results of the  
861 negotiations, it may, at its sole discretion, terminate  
862 negotiations with the proposer. If these negotiations are  
863 unsuccessful, the agency may go to the second and lower-ranked  
864 firms, in order, using the same procedure. If only one proposal  
865 is received, the agency may negotiate in good faith, and if it  
866 is not satisfied with the results, it may, at its sole  
867 discretion, terminate negotiations with the proposer. The agency  
868 may, at its discretion, reject all proposals at any point in the  
869 process up to completion of a contract with the proposer.

870       Section 18. Subsection (3) of section 348.635, Florida  
871 Statutes, is amended to read:

PCB JDC 22-02

ORIGINAL

2022

348.635 Public-private partnership.—The Legislature declares that there is a public need for the rapid construction of safe and efficient transportation facilities for traveling within the state and that it is in the public's interest to provide for public-private partnership agreements to effectuate the construction of additional safe, convenient, and economical transportation facilities.

(3) The authority may request proposals for public-private transportation projects or, if it receives an unsolicited proposal, it must publish a notice in the Florida Administrative Register and, as provided in chapter 50, on a publicly accessible website ~~by either Internet publication~~ or by print in a newspaper in the county in which the project is located at least once a week for 2 weeks stating that it has received the proposal and will accept, for 60 days after the initial date of publication, other proposals for the same project purpose. A copy of the notice must be mailed to each local government in the affected areas. After the public notification period has expired, the authority shall rank the proposals in order of preference. In ranking the proposals, the authority shall consider professional qualifications, general business terms, innovative engineering or cost-reduction terms, finance plans, and the need for state funds to deliver the proposal. If the authority is not satisfied with the results of the negotiations, it may, at its sole discretion, terminate negotiations with the

PCB JDC 22-02

ORIGINAL

2022

897 proposer. If these negotiations are unsuccessful, the authority  
898 may go to the second and lower-ranked firms, in order, using the  
899 same procedure. If only one proposal is received, the authority  
900 may negotiate in good faith, and if it is not satisfied with the  
901 results, it may, at its sole discretion, terminate negotiations  
902 with the proposer. The authority may, at its discretion, reject  
903 all proposals at any point in the process up to completion of a  
904 contract with the proposer.

905 Section 19. Subsection (3) of section 348.7605, Florida  
906 Statutes, is amended to read:

907 348.7605 Public-private partnership.—The Legislature  
908 declares that there is a public need for the rapid construction  
909 of safe and efficient transportation facilities for traveling  
910 within the state and that it is in the public's interest to  
911 provide for public-private partnership agreements to effectuate  
912 the construction of additional safe, convenient, and economical  
913 transportation facilities.

914 (3) The authority may request proposals for public-private  
915 transportation projects or, if it receives an unsolicited  
916 proposal, it must publish a notice in the Florida Administrative  
917 Register and, as provided in chapter 50, on a publicly  
918 accessible website ~~by either Internet publication~~ or by print in  
919 a newspaper in the county in which the project is located at  
920 least once a week for 2 weeks stating that it has received the  
921 proposal and will accept, for 60 days after the initial date of

PCB JDC 22-02

ORIGINAL

2022

publication, other proposals for the same project purpose. A copy of the notice must be mailed to each local government in the affected areas. After the public notification period has expired, the authority shall rank the proposals in order of preference. In ranking the proposals, the authority shall consider professional qualifications, general business terms, innovative engineering or cost-reduction terms, finance plans, and the need for state funds to deliver the proposal. If the authority is not satisfied with the results of the negotiations, it may, at its sole discretion, terminate negotiations with the proposer. If these negotiations are unsuccessful, the authority may go to the second and lower-ranked firms, in order, using the same procedure. If only one proposal is received, the authority may negotiate in good faith, and if it is not satisfied with the results, it may, at its sole discretion, terminate negotiations with the proposer. The authority may, at its discretion, reject all proposals at any point in the process up to completion of a contract with the proposer.

Section 20. Subsection (5) of section 849.38, Florida Statutes, is amended to read:

849.38 Proceedings for forfeiture; notice of seizure and order to show cause.—

(5) If the value of the property seized is shown by the sheriff's return to have an appraised value of \$1,000 or less, the above citation shall be served by posting at three public

PCB JDC 22-02

ORIGINAL

2022

947 places in the county, one of which shall be the front door of  
948 the courthouse; if the value of the property is shown by the  
949 sheriff's return to have an approximate value of more than  
950 \$1,000, the citation shall be published by print or posted for  
951 at least 2 consecutive weeks on a publicly accessible website as  
952 provided in s. 50.0311 ~~newspaper's website and the statewide~~  
953 ~~legal notice website in accordance with s. 50.0211(5)~~. If  
954 published in print, the citation shall appear at least once each  
955 week for 2 consecutive weeks in a newspaper qualified to publish  
956 legal notices under chapter 50 that is published in the county,  
957 if there is such a newspaper published in the county. If there  
958 is no such newspaper, the notice of such publication shall be  
959 made by certificate of the clerk if publication is made by  
960 posting, and by affidavit as provided in chapter 50, if made by  
961 publication as provided in chapter 50, which affidavit or  
962 certificate shall be filed and become a part of the record in  
963 the cause. Failure of the record to show proof of such  
964 publication shall not affect any judgment made in the cause  
965 unless it shall affirmatively appear that no such publication  
966 was made.

967 Section 21. Paragraph (a) of subsection (6) of section  
968 932.704, Florida Statutes, is amended to read:

969 932.704 Forfeiture proceedings.—

970 (6)(a) If the property is required by law to be titled or  
971 registered, or if the owner of the property is known in fact to

PCB JDC 22-02

ORIGINAL

2022

the seizing agency, or if the seized property is subject to a perfected security interest in accordance with the Uniform Commercial Code, chapter 679, the attorney for the seizing agency shall serve the forfeiture complaint as an original service of process under the Florida Rules of Civil Procedure and other applicable law to each person having an ownership or security interest in the property. The seizing agency shall also publish, in accordance with chapter 50, notice of the forfeiture complaint for 2 consecutive weeks on a publicly accessible website ~~newspaper's website and the statewide legal notice website in accordance with s. 50.0211(5)~~ or, if published in print, once each week for 2 consecutive weeks in a newspaper qualified to publish legal notices under chapter 50 in the county where the seizure occurred.

Section 22. This act shall take effect January 1, 2023.